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 Lucent Technologies Inc. and  
 Alcatel-Lucent, S.A.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

SANDISK CORPORATION,

Plaintiff,

vs.

LUCENT TECHNOLOGIES INC. and  
 ALCATEL-LUCENT, S.A.,

Defendants.

No. C 07-03618 JF

STIPULATION AND [PROPOSED]  
 ORDER TO CONTINUE HEARING

Date: Feb. 8, 2008  
 Time: 9:00 a.m.  
 Location: Courtroom 3

AND RELATED COUNTERCLAIM

Pursuant Civil L.R. 6-1(a) and Civil L.R. 7-7(b)(1), the parties stipulate to the following:

WHEREAS, on January 25, 2008, the Court was scheduled to hear argument on Lucent's Motion to Dismiss Without Prejudice or Stay Pending Resolution of Appeal in Related Case, and to conduct a further Case Management Conference;

WHEREAS, the Court has informed the parties that the matters set for hearing on January 25, 2008, will be rescheduled to a later hearing date;

WHEREAS, the Court initially continued the January 25, 2008 hearing date to February 8, 2008;

WHEREAS, the parties agree that February 8, 2008 is not a mutually convenient date;

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1 NOW THEREFORE, it is STIPULATED, AGREED AND ORDERED as follows:

2 The hearing on defendant Lucent's Motion to Dismiss Without Prejudice or Stay  
3 Pending Resolution of Appeal in Related Case, will be continued to February 15, 2008 at 9:00  
4 a.m. and the Case Management Conference will be continued to February 15, 2008 at 10:30  
5 a.m.

6  
7 DATED: January 25, 2008

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9 Bingham McCutchen LLP

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11 By: /s/ Gregory L. Lippetz  
12 Gregory L. Lippetz  
13 Attorneys for Plaintiff/Counter-Defendant  
SanDisk Corporation

14 DATED: January 25, 2008

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16 Kirkland & Ellis LLP

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18 By: /s/ Jenny N. Lee  
19 Jenny N. Lee  
20 Attorneys for Defendants/Counter-Plaintiffs  
21 Lucent Technologies Inc. and  
22 Alcatel-Lucent, S.A.

23 PURSUANT TO STIPULATION, IT IS SO ORDERED.

24 DATED: \_\_\_\_\_

25 By: \_\_\_\_\_  
26 THE HONORABLE JEREMY FOGEL  
27 UNITED STATES DISTRICT JUDGE  
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